

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
FACILITY PLANNING, CONSTRUCTION AND MANAGEMENT**

**STATEMENT OF DECISION  
Health Care Facility Improvement Project  
Richard J. Donovan Correctional Facility, San Diego County**

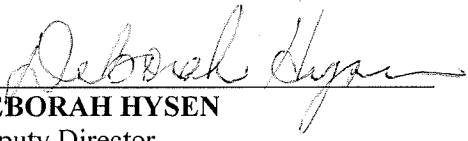
In April 2001, a class action lawsuit, *Plata v. Schwarzenegger*, was filed by a group of prison inmates against the State of California contending that California Department of Corrections and Rehabilitation (CDCR) provided inadequate medical care to prison inmates in violation of the Eighth Amendment (prohibiting cruel and unusual punishment) and the Fourteenth Amendment (providing the right to due process and equal protection) of the United States Constitution. In 2006, the U.S. District Court for the Northern District of California placed California's prison health care system in receivership in response to the April 2001 *Plata v. Schwarzenegger* lawsuit.

To further improve CDCR's ability to provide adequate health care to the existing inmate population, CDCR will remedy identified deficiencies in the health care facility components at Richard J. Donovan Correctional Facility, San Diego County (RJD). Specifically, CDCR will renovate the existing health care facilities and construct new health care facilities at the institution as identified and considered in the Initial Study/Negative Declaration (IS/ND) prepared for the RJD Health Care Facility Project under the California Environmental Quality Act (CEQA) (State Clearinghouse No. 2013041065). These improvements will provide the necessary facility infrastructure to support a timely and effective medical care delivery system with appropriate health care diagnostics and treatment, medication distribution, and access to care for RJD inmates. The project also supports RJD's existing operation as an "Intermediate" institution within the CDCR Health Care Facility Improvement Program strategy to address statewide prison health care deficiencies in its facilities. Intermediate inmate-patients are those identified as having multiple chronic and/or terminal illnesses requiring a high level of care such that tertiary care consultation and specialized services must be available. Intermediate institutions are those designed with the capability of providing specialized medical services and consultation, including those that utilize advanced technologies such as cardiology for inmate-patients with chronic illnesses (see Health Care Facility Improvement Program, Program Overview [April 2012]).

The improvements include the addition and renovation of existing facilities, utility upgrades, and small, new health care facilities, all of which will be located within the existing RJD footprint (see Exhibit 2-3, RJD Health Care Facility Improvement Project IS/ND). The improvements to existing health care facilities at RJD will add health care treatment space, clinical support space, and office space to support the existing health care program at RJD. The project does not include any new inmate beds and will not increase inmate capacity. One additional staff member will be added to RJD to oversee plant operations and maintenance under the project.

By taking action to approve this project, CDCR believes it has fully satisfied its obligation to the people of California to analyze the potential effects on the environment of constructing health care facility improvements at RJD, consistent with the provisions of CEQA and its implementing regulations. CDCR prepared an IS/ND and circulated that document for public review on April 19, 2013.

CDCR has fully and independently evaluated the potential effects of the project on the environment. After receiving and reviewing the record, including comments received from the public, I find that there is no substantial evidence in support of a fair argument that the project could result in a potentially significant adverse impact under CEQA. The details supporting this finding are set forth in the ND attached to this Statement of Decision and the related supporting documents in the record. I further find that the ND reflects CDCR's independent judgment and analysis of the project's potential effects on the environment. Accordingly, exercising the authority delegated by the Secretary, I hereby approve the RJD Health Care Facility Improvement Project on behalf of CDCR. Staff is directed to file a Notice of Determination with the Office of Planning and Research (OPR) within five working days and is directed to implement the project as described in the IS/ND.

  
**DEBORAH HYSEN**  
Deputy Director  
Facility Planning, Construction and Management

May 22, 2013